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Item 5 of the provisional agenda

Consideration of reports submitted by States parties
under article 40 of the Covenant

List of issues in relation to the third periodic report of the former Yugoslav Republic of Macedonia

Addendum

Replies of the former Yugoslav Republic of Macedonia to the list of issues*

[Date received: 7 May 2015]

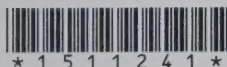
Question 1:

1. A Draft Law amending the Law on Ombudsman has been prepared and is in parliamentary procedure. The amendments aim at strengthening the Ombudsman's role in the prevention of torture as a national preventive mechanism and at the same time to enhance its mandate in regard to the promotion and protection of human rights as well as its financial independence in accordance with the Paris Principles.

Question 2:

2. In December 2012, the European Commission of Human Rights found that Macedonia had violated articles 3, 5, 8 and 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms in the case of Mr. El Masri. With the same judgment the State was obliged to pay just satisfaction in the amount of 60,000 euro to Mr. El Masri. The compensation has been paid by the state. Furthermore, the Inter-ministerial Commission for enforcement of judgments of the Commission elaborated an action plan for its implementation and sent it to the Committee of Ministers of the Council of Europe which is in charge of monitoring the implementation.

* The present document is being issued without formal editing.



Question 3:

3. No amendments to the Law on the Prevention of and Protection against Discrimination have been planned for the concerned period. The Commission for Protection against Discrimination received 12 applications against discrimination through hate speech and /or with elements of hate speech on grounds of sexual orientation. The Commission established discrimination in three of the said cases.

4. Sexual orientation as a ground for discrimination has been covered by the Law on the Prevention of and Protection against Discrimination, i.e. it is covered by the provision of article 3 of this Law, which reads as follows “on any other grounds established by the law or by ratified international agreements”. Furthermore, the fundamental rights of persons belonging to the LGBT community are protected under other laws, as well. There is a reference to sexual orientation as ground for discrimination in laws such as the Law on Public Health, the Law on Higher Education, the Law on Protection of Patients’ Rights, the Law on Family, Law on Labour Relations, etc.

5. In the period from 2012 to 2014, the Ministry of the Interior registered six criminal offences reported by persons belonging to the LGBT community,¹ alleging arson of a facility owned by the LGBT community and damaging the offices of the Helsinki Committee for Human Rights. Having undertaken relevant measures, the Ministry of the Interior solved one case of “violence” by a perpetrator against persons belonging to the LGBT community. As regards the remaining cases, the Ministry of the Interior sent a request to the competent public prosecutor to conduct measures within the public prosecutor’s competences. The Ministry of the Interior continuously collects, processes and analyses data about hate crimes and collects data about perpetrators. The Ministry of the Interior acts upon reports about offences of spreading hate, discrimination or violence through a computer system.

6. The national network for fight against homophobia and transphobia has been established, consisting of 15 civil society organizations and informal groups, which organize activities for greater visibility of the LGBT community and promotion of human rights of persons belonging to the LGBT community.

7. In November 2014, the Commission for Protection against Discrimination signed a Memorandum of Partnership with the H.E.R.A. Corporation — Association for Health Education and Research — Skopje for implementation of the project “Fighting for the rights of the LGBT community”, in the period from November 2014 to December 2015. The said project is focused on strengthening the capacities of the members of the Commission for Protection against Discrimination and its special department. Several activities are planned within this project, among which: analysis of the needs of the Commission for Protection against Discrimination; the work of the members of the Commission regarding applications submitted by persons belonging to the LGBT community; workshops for increasing the capacities of the members of the Commission; study visit to the equality body of the Netherlands; designing an internal protocol to accelerate the process of eliminating discrimination against the LGBT community; and a campaign for raising the awareness of citizens about greater tolerance towards and non-discrimination of the LGBT community.

¹ Two criminal offences “violence” and “causing general danger” and one offence “participation in a mob”, “preventing an officer in applying authorizations,” and “Damaging of foreign objects”.

Question 4:

8. The Government of the Republic of Macedonia has adopted a revised Strategy for the Roma for the period 2014–2020, which addresses the basic issues of implementation of a multidimensional State policy that will serve as the basis for developing concrete activities aimed at further strengthening and integration of Roma in the social mainstream.

9. There are continuous activities for improving the implementation of the Decade and Strategy for the Roma in the Republic of Macedonia.

10. The 12 Roma Information Centres are continually functioning. They inform, offer counselling services, advice and logistic support to citizens in a timely manner in order for them to be able to exercise their rights and fulfil their duties (in the fields of social protection, employment, healthcare and education, obtaining personal identification documents, etc.). In 2014, 2,328 persons contacted the Roma Information Centres in order to obtain information about various needs and services.

11. The implementation of the Project for free-of-charge legal aid continues. The legal mobile offices are functioning and they are located within civil society organizations in Skopje, Stip, Delcevo, Kocani, Vinica, Tetovo and Gostivar. Three lawyers-advisers were engaged to give free legal aid to persons belonging to the Roma community through the mobile offices and four assistants-volunteers.

12. In compliance with the active employment measures, by the end of September of 2014, persons belonging to the Roma community were included in the following programmes:

- A total of 58 Roma applied under the Self-Employment Programme; 26 of them filled out a questionnaire, out of which 11 were selected to receive training, and contracts were signed with nine persons;
- A total of 70 persons applied under the Programme for Subsidized Employment, and contracts were signed with 12 Roma;
- A total of 61 Roma applied under the Programme for training for meeting the needs for occupations in demand on the labour market. Contracts for training were signed with 25 persons, 17 of which completed the training;
- A total of 14 Roma applied under the Programme for training for meeting the needs for occupations in demand on the labour market; no contracts have been signed yet;
- A total of 12 Roma applied under the Practical Work (traineeship/internship) Programme; no contracts have been signed yet;
- A total of 215 Roma were covered by the Motivational Training Programme;
- A total of 32 Roma applied under the Self-Employment with Crediting Programme; 11 of the applications were approved by the Management Board, and contracts were signed with nine Roma;
- A total of 29 Roma applied under the Community Service Programme; contracts were signed with 10 Roma.

13. Under the project “Strengthening the rights of socially disadvantaged groups in the Western Balkans” (focusing on Macedonia), to be implemented to the end of June 2015, activities will be focused on improving the decentralized counselling services for the particularly disadvantaged groups and ethnic minorities (the Roma community). In addition, the capacities of the Roma Information Centres will be strengthened with respect to access to social services for the local Roma communities.

14. Under the ROMED Programme, which is focused on lobbying and advocacy for the Roma community – an expansion of the existing network of six municipalities with additional five in 2015 is planned.

Question 5:

15. The amendments to the Law on Equal Opportunities for Women and Men were adopted. The amendments are aimed at creating a legal basis for the preparation and adoption of bylaws that would enable the successful realization of the envisaged legal solutions and fulfilment of obligations under the Law by institutions responsible for ensuring equal opportunities for women and men at the national and local level.

16. The annual operational plans for the implementation of the Strategy for Gender Equality and the Strategy for Gender Responsive Budgeting were adopted by the Government of the Republic of Macedonia.

17. Activities for improving mechanisms for gender equality for women and men at the national and local level were continuously implemented.²

18. Report on the achieved results in the implementation of the Beijing Declaration and the Platform for Action was prepared, on the occasion of the 20th anniversary of the adoption thereof. The report of the Republic of Macedonia was integrated in the regional report presented at the conference on the women status in Geneva. On the occasion of the 20th anniversary of the adoption the Beijing Declaration, on 6 March 2015, a National Conference in Skopje was held, where achievements in the adoption of this Declaration were presented and the prospects and challenges for the next period were defined.

19. Under IPA Component 4, the Ministry of Labour and Social Policy implemented the project entitled “Strengthening the capacities for integration of women from rural communities in the labour market with focus on women from ethnic communities.” The purpose of the project is to enable marginalized women, especially women belonging to ethnic minorities, to improve their potentials for employment on the labour market. The project is focused on strengthening the capacities and the cooperation between relevant institutions for purposes of integrating marginalized women in the labour market, with a focus on women belonging to ethnic minorities, including Roma women.

20. With a view to improving the situation of this target group, an analysis has been made of the situation of women in the labour market, on basis of existing reports, analyzed information gathered following consultations with relevant institutions and the information collected with questionnaires answered by unemployed women in five pilot regions. Furthermore, there has been a research of the share of women in the labour market. 450 questionnaires have been distributed for the purposes of this research, which is based on the answers to the questionnaires, and which offers a number of recommendations. In addition, a methodology was prepared for design of training programmes for women in rural communities and women belonging to smaller ethnic communities. Three training programmes were designed as follows:

- Employment, non-discrimination and equal opportunities – policies and practices;

² In cooperation with the Macedonian Women’s Lobby, there were activities for strengthening the capacities of the mechanisms for equal opportunities of women and men in the Local Self-Government Units, and a workshop for introduction to the concepts of equality and non-discrimination for the labour inspection employees was organized under the 2014 Operational Plan for Gender Equality. In addition, a workshop was organized for the members of the commissions for equal opportunities of women and men and the coordinators at the local level with the purpose of familiarizing them with the concept of gender equality.

- Creating possibilities for employment of women from rural areas at the local level; and
- Working with women from rural communities.

21. The trainings have contributed to better understanding by institutions of needs of women from rural communities, women belonging to smaller ethnic communities, especially Roma women, with a view to improving the communication with women belonging to the said groups and improving the quality of service provision, which on its part would lead to a higher degree of women's integration in the labour market.

Question 6:

22. The Law on the Prevention of and Protection against Domestic Violence, adopted in September 2014, is the first special systemic law in this area, which is to establish and advance a comprehensive and coordinated system of activities for the prevention of and protection against domestic violence.

23. This Law defines domestic violence as ill-treatment, offending, threatening the safety, inflicting bodily injury, sexual and other psychological, physical or economic violence, which causes the sense of insecurity, threat or fear, including threat of committing such activities against a spouse, parents, children or other persons living in marriage or cohabitation or in joint household and against present or former spouse, cohabitation partner or a person with whom the perpetrator has children, or with whom the perpetrator is in close relationship, regardless whether the perpetrator lives or has lived in the same household with the victim.

24. The adoption of this Law has contributed to improving the response by society in terms of not tolerating domestic violence as follows:

- Continual undertaking of measures by all relevant actors at the national and local level for prevention of domestic violence, raising the awareness and sensitizing the expert community and the public at large;
- Raising the level of responsibility for urgent, accountable and efficient work of relevant employees and institutions for prevention of domestic violence;
- Ensuring the required efficient and effective protection of victims, in line with their needs and interests.

25. The institutional response is strengthened. Assistance measure and activities for protection of victims are undertaken by specially educated professionals, who have been conferred new competences. Social Work Centres coordinate multi-sector professional teams, which are tasked with designing a safety plan of assistance for victims, in all cases in which there are indications that the life and health of victims or of the family members are threatened and in all cases in which the victims of domestic violence are children.

26. The responsibility of perpetrators of domestic violence is more strictly defined. Hence, Social Work Centres are obliged to file criminal charges against a perpetrator who has not observed a provisional protection measure ordered by a court.

27. Following the adoption of a National Strategy for the Prevention of and Protection against Domestic Violence, integrated national policies are pursued in this area. In addition, the established National Body against Domestic Violence is tasked with monitoring and analysing the situation with domestic violence in the country, being also tasked with coordinating activities of all relevant institutions and with proposing measures to improve the situation and measures to implement envisaged activities.

28. With the aim of providing for proper protection and accommodation of victims of domestic violence, the Ministry of Labour and Social Policy has opened 4 Regional Centres for Victims of Domestic Violence (Shelters) on the territory of the Republic of Macedonia.

29. In 2014, the number of domestic violence cases reported with Social Work Centres was 999, of which 722 cases involving female victims, 146 male victims and 131 children victims.

30. In 2014, a public awareness campaign was organized in cooperation with the UNDP and UNWOMEN, focused on prevention of and protection against domestic violence. The same campaign continues in 2015.

Question 7:

31. The Law on Termination of Pregnancy envisages compulsory counselling for women about possible risks deriving from termination of pregnancy, i.e. women are to be properly informed about the consequences for their health that could possibly arise from the termination of pregnancy. The Law does not deny the right of women to interrupt pregnancy. Women have the right to free choice, but also they have the right to be informed about possible consequences that could arise after the termination of pregnancy, having also the right to be informed what is to be undertaken at certain stages in order that they protect their health. According to article 13 of the said Law, pregnancy may be interrupted without a decision of the relevant committees (i.e. without obligatory counselling and waiting for a reply of the committee) in cases in which owing to an imminent danger for the life and health of the pregnant woman, there is no time to wait for a decision or in cases of already commenced procedure for interruption of pregnancy.

32. Counselling offices have been opened at public health centres, where the young are educated about modern contraceptives and about family planning. Lectures are also held in schools about contraception and planned pregnancy, while gynaecologists also educate their patients about contraception and about protection of the sexual and reproductive health. In 2013, there were a higher number of prescribed contraceptives, i.e. 4,348 cases in 2013 compared with 3,912 in 2012.

33. The Guidelines for pre-natal care have been revised. A committee has been established tasked with assessing each case of perinatal death and forms have been designed for assessment of perinatal death, i.e. for reporting perinatal death. There are activities for design of an electronic pregnancy booklet (records) and for design of an electronic form for reporting perinatal death.

34. Centre for Human Reproduction has been established at the University Clinic for Gynaecology and Obstetrics in Skopje. There have been trainings for medical staff at childbirth centres on the issue of making daily entries in the database on perinatal death by childbirth centres. The daily entries are then summed up and analyzed by relevant employee at the Centre for Human Reproduction after which there adequate measures are undertaken.

35. Under the 2015 Programme for Mothers and Children, funds have been provided for procurement of folic acid and iodine for the first three months of pregnancy of every pregnant woman. With a view to reducing the infant mortality rate and providing for healthy pregnancy and healthy newborns, it is planned to introduce obligatory antenatal check-ups of pregnant women. The Ministry of Health has its Facebook page, which offers information contained in the pregnancy booklet and advice for pregnant women.

36. In the hitherto period, the Ministry of the Interior has been undertaking intensive activities to strengthen the capacities for building a positive approach by the police towards

all citizens regardless of their gender, race, colour of skin, national or social origin, political and religious conviction, property or social status.

37. There have been several projects aimed at improving the trust between the police and citizens in municipalities in which the majority of the population are Roma. The project activities are related to strengthening the trust, cooperation and partnership between the police and the Roma and to raising the awareness about most often security issues in areas populated by the Roma.

38. The Sector for Internal Control and Professional Standards at the Ministry of the Interior, undertakes continual activities to strengthen the capacities required to address such occurrences. In addition, there are trainings organized for police officers who are in direct contacts with citizens in applying measures for which they are authorized.

39. As regards investigations and prosecution of allegedly racially motivated crime, it is underlined that the Ministry of the Interior processes each detected case or case reported with the relevant departments at the Ministry and undertakes measures within the legally defined competences in order to clarify the cases.

Question 8:

40. On several occasions the Director of Enforcement of Sanctions issued a Decree concerning the prohibition of the use of disciplinary cells in the educational-correctional institution. In order to check whether solitary confinement rooms are out of use, a number of extraordinary professional/instruction supervision visits were carried out, the latest conducted in November 2014 when it was noted that solitary confinement rooms were not in use.

41. Regarding corporal punishment and use of batons, members of the security sector of the educational-correctional institution do not use truncheons. Furthermore, in cases of established use of inappropriate physical force, members of the security sector must be subject of disciplinary responsibility. In that regard, after the performed professional/instruction supervision visit in June 2014, a disciplinary procedure for determining disciplinary responsibility for one case in the institution was initiated, which resulted in disciplinary sanctions for three officers, while for the two of them criminal charges were instituted as well. The case is pending in the competent public prosecutor's office. Also, during execution of professional-instruction supervision in November 2014, there were credible indications that one security officer had used excessive force against a minor and therefore a disciplinary proceedings for determining his responsibility was instituted.

Question 9:

42. In relation to health, hygiene and safety conditions in all institutions, there is a number of guidelines, procedures and protocols applied in each area individually and their whose application has improved the situation in many areas.

43. Since November 2011 all institutions apply 10 procedures and protocols, including:

- Procedure during control of the hygiene in the penitentiary facilities;
- A search of the convicted person and premises;
- The procedure for admission and treatment of inmates in the reception unit;
- Procedure for realization of health protection of inmates in the penitentiary facilities;
- Procedure of work engagement of inmates in the penitentiary facilities;
- Procedure for prevention of rebellion;

- Procedure in case of violent behavior of inmate;
- Procedure for performing accompaniment;
- Procedure in case of escape;
- Visiting Procedure.

44. Furthermore, in the area of health care, 12 instructions have been applied since February 2013 and five protocols from May 2014:

Instructions:

- Instructions for medical controls during admission of inmates in PF;
- Instructions for medical controls during release of inmates in PF;
- Instructions for access to doctor of the convicted person in the penitentiary and distribution of medicines (check-ups in and outside the institution);
- Instructions for medical examination and medical supervision during the execution of a disciplinary referral penalty – in solitary confinement;
- Instructions for duties and ethics of the medical staff of the health care sector;
- Instructions for intersectoral collaboration in health care for convicted persons and minors;
- Instructions for recording signs of violence in the institution in custody and prisoners;
- Instructions for control of the hygiene and food control in the institution;
- Instructions for medical examination during admission of detained persons in PF;
- Instructions for medical examination upon release of a detained person in the penitentiary;
- Instructions for minimum technical standards in the health units of the institutions;
- Instructions for the medical procedure during use of means of coercion.

Protocols:

- Protocol for health care of inmates with HIV/AIDS;
- Protocol for health care of inmates with TB;
- Protocol for health care of inmates with Hepatitis C;
- Protocol for prevention from STD and distribution of condoms in penitentiary and correctional institutions;
- Protocol for health care of inmates drugs user in prison and distribution of substitute therapy-methadone.

45. For the purpose of facilitating proper control over the implementation of laws and bylaws and the overall operation of the institutions, in late 2012 the Department for enforcement issued an Instruction on internal control mechanism in the penitentiary and correctional facilities which all institutions have to apply obligatory.

46. As for the allegations of ill-treatment in correctional facilities, we inform that every convicted person is guaranteed the right to submit petitions and complaints to the Department for enforcement of sanctions and other institutions in the field of protection of human rights.

47. When submitting the petitions and complaints, inmates are guaranteed anonymity and therefore each institution has installed special boxes for the submission of complaints to the Department for enforcement of sanctions and the Ombudsman of the Republic of Macedonia accessed only by authorized persons from both institutions.

48. A concrete case of ill-treatment was observed in the CPA Idrizovo, which was treated right way in conformity with the legal responsibilities of the institution.

49. Namely, in March 2013 the official of the security sector in the CPA Idrizovo applied inappropriate physical force against a convicted person. The officer was immediately suspended and the case was reported to the Ministry of Interior and the Public Prosecutor's Office in Skopje, and the investigative judge ordered house arrest for the officer. Under the subsequent court judgment the officer was sentenced to one year prison and is serving a penalty in the prison in Skopje.

50. The Director of the CPA Idrizovo issued an Ordinance which strictly prohibits any excessive use of force on inmates and every case in which it is determined that physical force beyond the one strictly prescribed by laws and bylaws has been applied will be appropriately sanctioned.

51. In terms of providing fair hearing in cases of alleged violations of order and discipline in prisons, the provisions relating to the manner of conducting the disciplinary proceedings against inmates and guarantees for their rights are explained in detail in the Unified House Rules for all facilities. In this regard, the maintenance of order and discipline in the institution is governed by articles 47 to 61 of the House Rules. More precisely, the procedure for determining disciplinary responsibility and impose disciplinary penalties on convicted persons is established in articles 53 to 58 which regulate in detail the entire procedure, including the hearing of the convicted person.

52. Also, in case of imposing disciplinary punishment, all inmates are guaranteed the right to appeal to the Department for enforcement of sanctions within three days of receipt of the decision.

53. Maintaining of order and discipline in detention units of prisons is governed by the provisions (Art. 40, Art. 47) of the House Rules for execution of detention of detention units in prisons.

54. In accordance with the Macedonian legal regulations, each committed disciplinary offense by a detained person is reported to the competent court within 3 days by the prison director.

Question 10:

55. Further strengthening of the independence of the judiciary remains a priority. In that context, amendments to the Constitution of the Republic of Macedonia have been drafted, an important part of which relates to the justice system. They are in their third and final reading in Parliament and they include among others: the proposal that the Minister of Justice and the President of the Supreme Court of the Republic of Macedonia be no longer *ex officio* members of the Judicial Council of the Republic of Macedonia and that the number of judges-members of this body be increased. It is furthermore proposed to expand the competences of the Constitutional Court by enabling it to deliberate upon appeals against decisions of the Judicial Council and the Council of Public Prosecutors related to election of judges and public prosecutors, respectively and to deliberate upon appeals against decisions on disciplinary sanctions adopted by the Judicial Council and by the Council of Public Prosecutors. A new institute is proposed to be introduced, that of a constitutional complaint, which is to contribute towards enhanced protection of citizens' rights.

56. In implementing international standards in the area of the judiciary, a Law on the Fact Finding Council and the institution of procedures for determining the responsibility of judges, as well as amendments to the Law on the Judicial Council of the Republic of Macedonia were adopted. The purpose of the two Laws is to redefine the concept of disciplinary procedures against judges, and to clearly define the different stages of the procedure: institution of a procedure, investigation and adoption of a decision on a disciplinary sanction.

57. Since January 2013, following the entry into force of the amendments on the Law on Courts, all newly appointed first instance judges must be graduates of the initial training of the Academy for judges and prosecutors. Since July 2013 the amendments regarding the reinforcements of the professional requirements for recruitment in higher instances also entered into force.

58. Capacities to generate relevant court statistics on the length of court proceedings were strengthened, by creating software for judicial statistics that became operational as of June 2013.

59. With a view to strengthening the independence of the Public Prosecutors' Offices a new Law on the Public Prosecutor's Office was drafted. The draft Law is in Parliamentary adoption procedure. Significant novelties to be introduced under are: stricter criteria for election of public prosecutors and improvement of the provisions for assessment of the work and for disciplinary procedures against public prosecutors.

60. The following activities to strengthen the personnel capacities for application of the new Law on Criminal Procedure, which entered into force in December 2013, were carried out:

- In 2014, Public Prosecutors' Offices published a public competition for employment of 84 persons;
- A separate sub-item was designated under the Budget of the Public Prosecutor's Office of the Republic of Macedonia intended for implementation of the new Law on Criminal Procedure and in 2014 a total of MKD 112. 698 million were allocated for this purpose, while the allocated funds in 2015 amounted to MKD 88,401 million;
- Under the 2009 IPA Project entitled *Procurement of specialized equipment for investigative centres at Public Prosecutors' Offices*, audio-visual equipment was purchased for recording hearings of indicted persons and of witnesses in the investigative procedure. The purchased equipment is intended for 19 Public Prosecutors' Offices;
- A Case Management System has been established at Public Prosecutors' Offices in the Republic of Macedonia facilitating the management and following of criminal cases;
- In 2014, there were a total number of 24 advanced trainings under 4 modules (preliminary investigative procedure, investigative procedure, main hearing and summary procedure) for 656 participants, of whom 345 judges, 160 public prosecutors, 53 representatives of the justice police and 86 lawyers;
- Specialized trainings on selected topics and practical issues relating to the application of the Law on Criminal Procedure continue in 2015, as well. All operative instructions/ handbooks, intended for various institutions, regarding the application of the Law on Criminal Procedure have been developed.

61. The Constitutional Court is a State organ which protects the constitutionality and legality in the Republic of Macedonia and the Assembly of the Republic of Macedonia

fully respects the constitutional provisions on the election of judges to the Constitutional Court. In this regard, the last 5 judges to the Constitutional Court judges were elected by the Assembly from the among the renown lawyers, in a manner and in a procedure set out by the Constitution and the Rules of Procedure of the Assembly of the Republic of Macedonia.

Question 11:

62. As part of the comprehensive reform of the judicial system in the country, the Law on Courts from 2006 and its amendments in 2008 introduced a national remedy for the protection of the right to trial within a reasonable time.

63. The national remedy for the protection of the right to trial within a reasonable time was introduced in the context of the execution of judgments of the European Court of Human Rights, what was identified one of the major problems in the implementation of the European Convention for the Protection of Human Rights and Fundamental Freedoms by the Republic of Macedonia.

64. According to the legal provisions, the Supreme Court in Republic of Macedonia has the exclusive jurisdiction to decide on requests for protection of the right to trial within a reasonable time, adhering to the rules and principles established by the European Convention for the Protection of Human Rights and Fundamental Freedoms and the case law of the European Court of Human rights. Articles 36 and 36-a of the Law on Courts define procedure to be applied by the Court and the procedural prerequisites for applicants.

65. Namely, according to article 36 of the law, the applicant may submit an application during the proceedings before the national courts, and not later than six months from the date of the effectiveness of the judgment.

66. When the Supreme Court finds a violation of the right to trial within a reasonable time, in its decision it will determine a deadline within which the court before whom proceedings are pending must decide on the right, obligation or criminal responsibility of the applicant and will award just satisfaction to the applicant on account of the violation of his right to trial within a reasonable time.

67. Just satisfaction is paid from the Court budget within three months from the date of the decision of the Supreme Court. In order to implement the provisions of the law, was established a special unit at the Supreme Court to protect the right to trial within a reasonable time.

68. In addition, the European Court of Human Rights in a decision on the applications Adji-Spirkovska against Republic of Macedonia and Topuzovski against the Republic of Macedonia found that the remedy for the protection of the right to trial within a reasonable time before the Supreme Court is an effective remedy within the meaning of article 13 of the Convention and provides sufficient protection before domestic courts for all applicants who have been violated the right to trial within a reasonable time under article 6 of the Convention.

69. As regards the duration of criminal proceedings, the new Law on Criminal Procedure applied since November 2013 provides for new, redefined pretrial proceedings in which the public prosecutor has a leading role. The number of phases in the preliminary procedure is reduced from four or more to two, thereby significantly speeding up the procedure.

70. One of the novelties in the Criminal Procedure Code aimed at speeding up the procedure is contained in article 370, paragraph 3, which regulates the reasons for postponement of the main hearing. It foresees postponement of the main hearing until the reason for its delay is valid and the presiding judge must on a monthly basis inform the

President of the Court whether there are still reasons for delay. The president of the court is expected to undertake the necessary measures to expedite the proceedings.

71. Paragraph 3 of article 371, which regulates the issue of extension of the main hearing, provides that if the delay is longer than 90 days, the main hearing must start anew and all evidence must be again presented again. A novelty is the possibility that the judge, or the Council, after examination of the parties to decide witnesses and experts to not to be heard again but to read their statements entered in the minutes of the previous main hearing. This provision also affects to the acceleration of the procedure.

72. In 2014 the Administrative Court achieved significant results in reducing the backlog of cases. Namely, according to the statistics of the Judicial Council of the Republic of Macedonia, in the first 9 months of 2014 the Administrative Court reduced its backlog by 20.2 per cent (i.e. about 2,953 cases).

Question 12:

73. In 2014, in addition to coordinating the process of referral and protection of victims of trafficking in human beings, there were several activities aimed at advancing the system of prevention of and protection against trafficking in human beings, such as: design of a Programme for assistance and support in the reintegration of victims of trafficking in human beings, revision of the Programme for assistance and support to children - victims of trafficking in human beings; design of Indicators for identification of victims of trafficking in human beings; Analysis of the situation in the identification and protection of children-victims of trafficking in human beings and several trainings on relevant issues.

74. *Protection of victims of trafficking in human beings* – The Office of the National Referral Mechanism pursues activities for cooperation and coordination with trained social workers at Social Work Centres (in 30 cities in the Republic of Macedonia), as well as with labour inspectors, the Ministry of the Interior, Unit for fight against trafficking in human beings and illegal migration and with the NGO's.

75. In 2014, 8 victims of trafficking in human beings were identified of whom:

- Six (6) were juveniles and two (2) were adults;
- Seven (7) were nationals of the Republic of Macedonia and one (1) was a foreign national (from Romania);
- Seven (7) were female victims and there was one (1) male victim.

76. According to the type of exploitation, three (3) victims were sexually exploited, three (3) victims were subject to sexual exploitation and forced marriage, one (1) victim was subject to sexual and labour exploitation and one (1) victim was subject to labour exploitation;

- Five (5) victims were placed at the Centre for Victims of Trafficking in Human Beings;
- Six (6) victims were identified in the Republic of Macedonia, one (1) victim was identified in Slovenia and one (1) victim was identified in Italy.

77. Relevant information indicate that the most affected vulnerable group are children, who in most often cases are Macedonian nationals and are females at the age from 14 to 17 years. The most often purpose of trafficking in human beings is sexual exploitation, and a combination of sexual exploitation and forced marriage.

78. The following services are offered to victims of trafficking in human beings:

- Referral to and accommodation at the Centre, needs assessment and crisis intervention;
- Professional team implementing activities in day time and night time shifts, accompanying as well victims to relevant destinations;
- Provisions of food during the victims' stay, as well as hygiene packages, clothes and shoes;
- Programme for psychosocial assistance (various workshops, computer skills trainings, basic English language classes etc.);
- Occupational and recreational activities, depending on the interests of the victims, such as glass painting, canvas painting, paper napkin art techniques, hand made jewellery, porcelain paintings, knitting, sewing, origami techniques. There are also visits organized of the sights in the city, visits to museums, theatres, cinemas, exhibitions, the ZOO, sport activities such as power walking and jogging. Once a month there are visits to the nearby recreational centres, such as Matka and Vodno;
- General medical check-ups and gynaecological check-ups, laboratory tests, HIV, hepatitis A, B and C testing;
- Legal counselling and basic information about the justice system and representation before the courts by a lawyer in pending court proceedings;
- Individual long term plan for inclusion in the education process after the victims' return to their place of residence;
- Psychological support to victims, including various types of treatment and sessions, group therapy, individual physiological counselling once a week and emergency and intensive assistance depending on the needs;
- Overcoming stress and trauma, improving reading skills, positive thinking, basic information about adolescent development problems, emotional relations and relations with peers, threats arising from sexually transmitted diseases and unwanted pregnancy.

Question 13:

79. The efforts to prevent the undesired occurrence of bogus asylum seekers from the Republic of Macedonia in EU member-states continued in 2014 with the same intensity. The Unit for negotiations and integration has the coordination task. Undertaken activities mostly consist of social and economic measures aimed at improving the standard of living and conditions for life of vulnerable groups, especially of the Roma population. The Ministry of the Interior continues to implement operative measures, such as enhanced controls by the Border Police, operative activities to identify tour operators, agencies for transport of passengers and persons that illegally provide services of international passenger transport and that suspected of abusing potential asylum seekers. There are also legislative measures.

80. The results of measures undertaken in 2014 are 15 criminal charges against 28 persons for 18 perpetrated crimes.

81. Thus, starting with 29 April 2011 to the end of 2014, at relevant border crossings, about 21,000 Macedonian nationals, who wanted to depart to Western European countries, were denied exit from the territory of the Republic of Macedonia. According to the latest Action Plan, preventive measures are applied by Roma Information Centres, which in cooperation with the Ministry of the Interior continue to undertake active measures aimed

at preventing abuse of the visa liberalization. The socio-economic measures are pursued following the envisaged dynamic.

82. The Ministry of the Interior prepares annual reports about undertaken measures, which are then submitted to the European Commission.

Question 14:

83. As regards the period within which a reply to asylum seekers or to their authorized representative is submitted, according to the Law on Asylum and Temporary Protection, asylum seekers are issued within three days a confirmation containing a seal, number and date of their filing of the asylum application, while within 15 days at the latest as of the filing of the application they are given a response whether their application will be processed in an urgent or in a regular procedure.

84. As regards the period for processing the appeal against a denied asylum application, the applicant has the right to institute an administrative dispute within 30 days of the date of receipt of the asylum decision with the Administrative Court of the Republic of Macedonia. The relevant court is obliged to issue its ruling within two months of institution of the administrative dispute. Following the ruling of the Administrative Court, the dissatisfied party to the case has the right to file an appeal with the Higher Administrative Court of the Republic of Macedonia. Asylum seekers do not wish to stay in the Republic of Macedonia, their final destination being Western Europe. Hence, very soon after filing an asylum application they leave the Republic of Macedonia, continuing their journey to other countries.

85. In relation to minor asylum seekers and unaccompanied minors, article 22-a of the Law on Asylum and Temporary Protection envisages that a legal guardian may file an asylum application on behalf of the minor asylum seeker. In applying the provisions of the said Law, the best interests of the child are to be taken into consideration.

86. Article 23 of the same Law envisages that unaccompanied minors, persons with mental disabilities and persons without legal capacity, who require protection, will be appointed promptly a legal guardian in accordance with the Family Law.

87. In cases of unaccompanied minors, the Ministry of the Interior undertakes all measure to locate the family members of the unaccompanied minor.

88. In assessing asylum applications filed by unaccompanied minors, *inter alia*, the best interests of the child will be taken into consideration.

89. A workshop entitled "Procedure to determine the best interests of the child and for interviews with unaccompanied minors" was held on 10-12 November 2014, in Ohrid. The goal of the workshop was to design Standard Operative Procedures that would define each step of the procedure undertaken in each relevant institution, i.e. to determine which institution would undertake relevant measures in the stage of filing the application, during the determination procedure, following the granting of refugee status or status of a person under subsidiary protection and in the procedure of integrating the concerned person in the society. In undertaking activities at all stages of the said procedures, the best interests of the child must be taken into consideration.

Question 15:

90. Article 2 of the Law on Primary Education prohibits discrimination on grounds of gender, race, skin colour, ethnic origin, social, political and religious affiliation, and on grounds of social and property status. Article 11 of the Law on Primary Education prohibits political and religious activities in primary schools and displaying of religious signs.

91. Article 2 of the Law on Secondary Education prohibits discrimination on grounds of gender, race, colour of skin, national and social origin, political and religious conviction, property, and social status.

92. Article 7 of the same Law prohibits political and religious organizing and activities. In addition, it is not allowed to organize religious education in secondary schools and it is not allowed to display political party and religious markings and signs.

93. Under a decision of the Constitutional Court of 15 April 2009, religious education introduced in elementary schools in 2008 was abolished.

94. In the 2010/2011 academic year, the following optional courses were introduced for 6th grade children: History of Religions, Ethics of Religions and Classical Cultures of European Civilization.

Question 16:

95. According to the Law on the Legal Status of Church, Religious Community and Religious Group (Official Gazette of the Republic of Macedonia No. 113/07) which precisely regulates the establishment and the legal status of churches, religious communities and religious groups, religious service and rites, religious education, revenues and other related issues, all 15 churches, religious communities and religious groups registered in accordance with the law enjoy the same rights regardless of their size and religious teaching.

Question 17:

96. a) Transparency of budget allocations to public and private media outlets and the transparency of government advertising is ensured under article 102 of the Law on Audio and Audiovisual Media Services, which envisages that State bodies, State administration bodies, public enterprises, units of local self-government, public institutions and legal persons with public authorities, are obliged to spend the funds they have envisaged for informing the public about their services or activities in a non-discriminatory, objective and transparent manner in a procedure established under the Law on Public Procurements.

97. b) In the period of application of the Law on Broadcasting, the members of the Broadcasting Council established under the said Law, were appointed by the Assembly of the Republic of Macedonia. In the period from April 2006 to April 2012, upon proposal of relevant institutions, the Assembly appointed the members of the Broadcasting Council. According to the Law institutions that were authorized to propose members of the Broadcasting Council were: the Macedonian Academy of Arts and Sciences, the Interuniversity Conference, a representative association of journalists, the Committee for Elections and Appointments at the Assembly of the Republic of Macedonia, the President of the Republic of Macedonia, the Association of Units of Local Self-Government and the Commission for Protection of Competition.

98. The Law on Audio and Audiovisual Media Services, adopted in December 2013, envisages the establishment of an Agency for Audio and Audiovisual Media Services, as a regulatory body in this area. Following the dialogue with the Association of Journalist of Macedonia, the proposals of the Association to the Council that the majority of members of the Council should be elected upon proposal by the civil sector were accepted. Thus, in January 2014, the Assembly of the Republic of Macedonia adopted the amendments to the Law on Audio and Audiovisual Medial Services.

99. The bodies of the Agency are the Council and the Director. According to the Law, the Assembly of the Republic of Macedonia appoints the members of the Council, while the Director is appointed by the Agency.

100. On 2 July 2014, the Assembly of the Republic of Macedonia appointed the members of the Council of the Agency for Audio and Audiovisual Media Services. The Assembly and the relevant institutions (the two associations of journalists in the Republic of Macedonia with the largest number of members, the Interuniversity Conference, the Bar Association of the Republic of Macedonia, the Committee for Elections and Appointments at the Assembly of the Republic of Macedonia and the Association of Units of Local Self-Government) implemented the legally prescribed procedure for election of the members of the Council. The appointment of the members of the Council of the Agency terminated the mandate of the members of the Broadcasting Council.

101. The above stated clearly indicates that the Government of the Republic of Macedonia has never appointed or proposed members of the regulatory body in this area and that the Assembly of the Republic of Macedonia is the institution competent to appoint members of this body.

102. The dialogue with the associations of journalists, especially with the Association of Journalist of Macedonia, continued after the adoption of the Law on the Media and the Law on Audio and Audiovisual Media Services.

103. With a view to ensuring further cooperation and full transparency and inclusiveness, the Minister of Information Society and Administration invited associations of journalists to actively participate in the process of drafting secondary legislation under the Law on the Media and the Law on Audio and Audiovisual Media Services.

104. Furthermore, in February 2014, the Minister asked associations of journalists to nominate their representatives for members of the working group tasked with designing proposals for improvement of the work and independence of the public broadcaster- the Macedonian Radio and Television.

105. The Council of Media Ethics of the Republic of Macedonia was established in December 2013, as the first self-regulatory body.

106. The Minister of Information Society and Administration expressed strong support for these first steps of self-regulation and called for all relevant associations and entities to become members of this self-regulatory body.

107. In light of the above stated, it is underlined that the two journalist associations have an important and active role.

Question 18:

108. In November 2012 Law on civil liability for defamation and insult and the Law amending the Criminal Code were adopted. These laws decriminalize defamation and insult and most crimes against honor and reputation. Thus, responsibility for insult and defamation was transferred in a civil procedure.

109. The Law on civil liability for defamation and insult incorporates standards contained in article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and the jurisprudence of the European Court of Human Rights. The law also contains a provision which states that these standards have priority in the application of the Law by judges.

110. For the successful application of the law and to improve professional standards and court case-law in respect of the implementation of article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, systematic and mandatory training for civil law judges who will act in cases for defamation and insult has been introduced.

111. In 2012 the Academy for Judges and Public Prosecutors organized a total of six courses on the application of article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, attended by 205 participants – 137 judges, 38 prosecutors, 9 judicial assistants of courts and prosecutor's offices, one candidate who graduated from the AJPP, 10 journalists and 10 other participants-representatives of other relevant institutions.

112. Since the beginning of 2013, ending with April 30, 2013, six training in this area attended by 140 participants including 109 judges, 7 public prosecutors, 12 legal assistants, three members of the Judicial Council of the Republic of Macedonia, 4 members of Council of Public prosecutors of the Republic of Macedonia and 5 lawyers were organized by the AJPP.

113. In 2014, 8 mandatory trainings for judges who deal with cases of civil liability for insult and defamation were organized. They were attended by 209 judges, 7 court assistants, 2 lawyers and 13 journalists.

114. Practice of translation and publication of the relevant judgments of the European Court of Human Rights in relation to article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms was introduced. Over 70 relevant judgments were translated and published on the websites of the Ministry of Justice and the Academy for Judges and Prosecutors

115. The statistical indicators for court proceedings in cases of insult and defamation are given below:

Insult and defamation - 2013

1. Natural person – Natural person	313
2. Natural person – journalist	46
3. Legal person – journalist	11
4. Politician – journalist	11
5. Politician – politician	15
6. Journalist – Journalist	14
7. Others (as plaintiff or defendant, natural persons, politicians or State institutions)	23
Total	433

Insult and defamation in 2014 ending on 15 July

1. Natural person – natural person	94
2. Natural person – journalist	4
3. Natural person – politician	1
4. Legal person – journalist	3
5. Politician – journalist	2
6. Politician – politician	8
7. Politician – legal person	1
8. Politician – natural person	3
9. Journalist – Journalist	14
10. Legal person – natural person	2
11. State institution – journalist	1
12. Journalist – politician	3
13. Official – politician	2

<i>Insult and defamation in 2014 ending on 15 July</i>	
14. State institution – politician	1
15. Legal person – politician	5
16. Natural person – legal person	3
Total	147

Question 19:

116. In 2011, in cooperation with the Ministry of the Interior and the Civil Registry Department, the Ministry of Labour and Social Policy started an action for identification of persons who have not been entered in the Register of Births.
117. An Action Plan has been prepared defining specific activities and responsibilities of each institution in dealing with the relevant issues.
118. Information was prepared and endorsed by the Government. The Information explains the undertaken activities and proposes measures to overcome the problem of persons lacking personal identification documents that have not been entered in the Register of Births. According to this Information, in-line Ministries are obliged to undertake concrete measures and activities to more efficiently resolve this problem and to more appropriately process such cases.
119. Since the beginning of its work, the Working Group established for this purpose, detected 536 people who need to be provided personal documents (some of them are not entered in the Register of Births, and some of them are, but are covered by this activity in order to be provided personal documents).
120. In the framework of this action, 120 persons were entered in the Register of Births. DNA analyses for 30 persons were made and 13 new cases were solved. The Ministry of Labour and Social Policy allocated MKD 1,200,000 of its budget for DNA analyses for 92 persons in a period of three years.
121. In April 2015, the Government adopted the new Information, which contains concrete proposals for facilitating and improving the processing of cases.

Question 20:

122. According to the Family Law, whenever they have indications and information that there is a threat of abuse of parental rights or a threat of gross negligence of parental responsibilities, Social Work Centres are to immediately undertake measures to protect the person, rights and interests of the child.
123. Social Work Centres may remove the child who is a victim of sexual abuse from the child's home, having provided appropriate accommodation, health care, emergency psycho-social support for the child and for the close relatives. Social Work Centres are also to undertake other measures always guided by the best interests of the child.
124. The problem of abuse of children becomes ever more present and urgent. This has imposed the need to undertake more efficient measures for the protection of the best interests of children, the right to life of children, their survival and development, their non-discrimination, providing them with equal opportunities. Abuse and neglect of minors is fast becoming a serious problem in contemporary societies. Considering such a situation, and with the primary aim of protecting children against abuse and neglect, it is necessary to more precisely define the provisions of the Family Law relating to abuse and gross neglect in the fulfilment of parental responsibilities with a view to ensuring greater protection of children.

125. The 2014 amendments to the Family Law envisage that instigating children to be beggars or abusing children for begging, is considered abuse and gross negligence in fulfilling parental responsibilities. The said provisions more precisely define activities to be undertaken by Social Work Centres. Thus, in cases in which Social Work Centres establish that the parent forces the child to beg or uses the child for begging, Social Work Centres must explain to the parent or parents the deficiencies and omissions in their exercising parental rights. In addition, Social Work Centres may adopt a decision for permanent supervision of exercise of parental rights, another available measure being counselling for parents and for children.

126. In case the parent does not follow the guidelines of the Social Work Centre and continues to force the child into begging or continues to use the child in begging, then the Social Work Centre immediately takes away the child from the parent and institutes a procedure with the relevant court for deprivation of parental rights and obligatorily files criminal charges against the parent who abuses and neglects the parental rights. In addition, Social Work Centres provide appropriate accommodation for the concerned child and undertake measures to protect the rights and interests of the minor until the adoption of a final ruling by the court for deprivation of parental rights.

127. In case by forcing the child to begging or by using the child in begging, the parent has endangered the life of the child, Social Work Centres are obliged to immediately take away the child from the parent, ensure appropriate accommodation for the child and undertake measure to protect the rights and interests of the child until the adoption of a final ruling by the court for deprivation of the parental rights and to institute a procedure for deprivation of parental rights without having to previously explain to the parent the deficiencies and omissions in the exercise of parental rights, then without having to adopt a decision for permanent supervision of the exercise of parental rights and without having to organize professional counselling. In such cases, Social Work Centres are obliged to file criminal charges against parents who abuse and neglect their parental responsibilities.

Children with Disabilities

128. There has been a presentation of the Project for e-accessible education in the Republic of Macedonia. The Project is implemented by the Ministry of Education and Science, the civil society organization called "Open the Windows", and USAID. Thus far, 31 primary and 2 secondary schools have been equipped under this project with assistive technology, using which pupils and students with special education needs can more easily follow instruction and acquire knowledge.

129. Upon the initiative of the Ministry of Labour and Social Policy, a Commission has been established tasked with review of medical documentation in special schools in the Republic of Macedonia. The Commission consists of representatives of the three in-line ministries- the Ministry of Labour and Social Policy, the Ministry of Education and Science and the Ministry of Health and a professional team of doctors. The goal of the Commission is to review the documentation and establish the facts in cases of Roma children enrolled in special schools intended for children with special needs. The Commission started working in October 2014. All primary and secondary special schools in the Republic of Macedonia will be reviewed. After the review, there will be recommendations defined for relevant measures required to resolve established problems. The Commission plans to issue its recommendations in the first half of 2015.

Question 21:

130. In September 2014, a new two-year "Inclusion of Roma Children in Preschool Education" project was signed with the Roma Education Fund, according to which in the 2014 - 2015 academic year a total of 635 children will be included.

131. Within the project for scholarship, mentorship and tutoring for Roma secondary school students, 623 scholarships were awarded for secondary school students, of which 610 completed the school year successfully, while 13 scholarship holders dropped out. In the 2014/2015 academic year, a new project started, the aim of which are positive interventions to increase the transfer and success of Roma secondary school students, in order to provide academic and financial support to them, which will be implemented in the next four academic years. An open competition for awarding scholarships to 670 students was announced in the 2014/2015 academic year.

132. For the needs of secondary school students, 127 teachers will be engaged to provide mentoring and tutoring assistance.

133. In 2014, a strategic framework for introduction of Roma education mediators was adopted, as a form of additional support to the community and to primary schools, which will start with its implementation in 2015.

134. In the 2009/2010 academic year, in accordance with the National Roma Strategy and Education Action Plan, under the public competition for enrolment in public secondary schools, the Ministry of Education and Science determined that Roma children may be enrolled in public secondary schools even in cases in which they have up to 10 per cent less points compared with the lowest threshold required for enrolment. This measure ensures positive motivation for Roma children to continue their education and acquire skills and competences in demand at the labour market.

135. In the 2014/2015 academic year, the Roma Education Fund in Budapest continued its support to Roma university students and published a new call for award of scholarships to Roma university students in the Republic of Macedonia. This call for award of scholarship is intended for students enrolled at faculties of law, humanities, medicine and international studies.

136. Under the Project for multiethnic education, supported by the Embassy of the Kingdom of Norway, training for teachers was provided in 2012. Teachers who deliver instruction in one of the three languages of the ethnic communities in accordance with the curricula were covered with the training.

137. Activities for integration of ethnic communities in the education system of the Republic of Macedonia are also supported by the European Union. Under Component IV of the Instrument for Pre-Accession Assistance (IPA), in 2013 there was a project entitled "Support to the Integration of Ethnic Communities in Education". The basic purpose of this project was to ensure equal and quality access to education for pupils belonging to all ethnic communities and to contribute to further strengthening of the process of integration of all ethnic communities in the society.

138. The implementing body for this project was the Department for development and promotion of the education in the languages of persons belonging to the communities in the Republic of Macedonia, which together with the Agency for European Integration and Economic Development of Austria assured project outputs, which include intercultural aspects of the education system, as well as capacities for support of the integration of ethnic communities.

139. The following results were achieved under this project:

- Assessment of the integration situation;
- Guidelines for improvement of the curriculum;
- Introducing innovative programme;
- Training for teachers and school principals;

- Training for parents of Roma children; and
- Training for Roma mediators.

140. Trainings and workshops were used to achieve these project results. According to the latest project report, about 39 workshops and trainings were organized in the course of the project which covered more than 100 participants in the trainings activities and more than 200 workshop participants.

141. With a view to ensuring comprehensive process of integration of persons belonging to ethnic communities in the education system, in accordance with the 2010 Strategy for integrated education in the Republic of Macedonia, in the first half of 2014, in cooperation with the OSCE Office in Skopje, the Ministry of Education and Science adopted the Guide for realization of the performance management plan. This guide sets forth the principles and methodology of collecting data in schools in the Republic of Macedonia with a view to facilitating the design of national policies for integration of ethnic communities.

142. This guide is in the pilot stage and is used in eight primary and four secondary schools in the Republic of Macedonia as of the 2014/2015 academic year. In the 2015/2016 academic year, the guide will be obligatory for all primary and secondary schools on the territory of the Republic of Macedonia.

Question 22:

143. In pursuance with its legally prescribed competences and duties, the State Election Commission undertakes the following measures in keeping a complete and updated Voters' List:

a) Activities undertaken ex officio

144. In accordance with article 43, paragraph 3 of the Election Code, based on information from the Ministry of the Interior, the State Election Commission updates the Voters' List four times a year. This is a scheduled regular activity. Under such updates of the Voters' List, names are entered of citizens who have become of full age and who have acquired a personal identification card or passport in the period between two regular updates and they are designated their polling station according to the address of their residence. The updates also cover deletion of names from the Voters' List of persons who have been deprived of their legal capacity under a legally valid court decision and persons who died in the period between two regular updates.

145. In addition, as an ongoing activity, based on information received on daily basis from the Civil Registry Department about deceased persons, applying the legally prescribed procedure, the names of all deceased persons are deleted from the Voters' List.

b) Activities undertaken upon request of citizens

146. In accordance with article 48, paragraph 1 of the Electoral Code, citizens may inspect the copy of the Voters' List throughout the year at official premises of local offices of the State Election Commission, Macedonian diplomatic missions and consular posts abroad and electronically at the web site of the Commission. The State Election Commission has 34 local organizational units which cover the entire territory of the country. Applications filed by citizens are processed in accordance with a legally established procedure.

Working Group for Control of the Voters' List

147. As of its establishment to the present day, the Working Group for Control of the Voters' List has been undertaking a series of activities to examine the Voters' List and to

enhance the trust in the Voters' List of all participants in the election process, primarily the trust of political parties. All institutions which according to the Electoral Code share information and data of interest to the Voters' List have their representatives in this Working Group. Parliamentary represented parties also have their representatives in the Working Group. The grounds for the establishment of the Working Group was item 3 of the priority recommendations under the Final OSCE/ODIHR Report following the early 2011 parliamentary elections.

148. With a view to implementing this recommendation, in 2011 and in 2012, the Working Group held several meetings. The Working Group defined its methodology for work in implementing the recommendation in following with relevant provisions contained in the Law on Personal Identity Cards, according to which as of February 2012 the only valid personal identity cards in the Republic of Macedonia are biometric identity cards, i.e. citizens of legal age who possess valid biometric personal identity card will be entered in the Voters' List. Such consolidation of the Voters' List was supported by all political parties that have their representatives in the Working Group. At the VII meeting of the Working Group, held in December 2012, the last meeting in the cycle of meetings on the implementation of the said recommendation, the members of the Working Group unanimously adopted the conclusion according to which in the future keeping of the Voters' List the same methodology would be continually used.

149. Thus, the number of persons on the Voters' List was reduced from 1,821,122 voters at the 2011 early parliamentary elections to 1,743,403 at the 2013 local elections, i.e. reduction of 77,719 voters.

150. The 2013 local elections were the first elections conducted using a controlled/revised Voters' List. Such revision/control of the Voters' List was supported by all political parties, as noted in the OSCE/ODIHR Final Report on the 2013 local elections.

151. In 2013, the State Election Commission signed a Memorandum of Cooperation with the OSCE Mission in Skopje, which *inter alia* envisages cooperation on the development and implementation of a methodology for control of the Voters' List. In accordance with the Memorandum, last year a foreign expert – consultant was recruited who prepared a Strategy / Methodology for field controls of the Voters' List. Applying this methodology, on 25 September 2014, the State Election Commission adopted an Action Plan for implementation of field activities for control of the Voters' List in several pilot municipalities, i.e. pilot-polling places in the country.
